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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-1014)

In re Application of:)	
)	
Edward P. Campbell)	
)	Group Art Unit: 2152
Serial No.: 09/998,819)	
)	Examiner: To be Assigned
Filed: November 25, 2001)	
)	Confirmation No. 5915
For: System and Method for Session)	
Control in Mobile Internet)	
Protocol Network)	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION TO REVIVE UNDER 37 C.F.R. § 1.137(b)

Dear Sir:

Applicant has not received a Notice of Abandonment from the Office and believes that he has fully complied with the Rules and Regulations of the Office. However, pursuant to the prepublication notice entitled "Reminder that Rescission of a Nonpublication Request is Not Itself a Notice of Foreign Filing" posted on the Patent Office Web site on April 16, 2003, it appears that the above-captioned application may be deemed abandoned if this prepublication notice is given retroactive effect by the Office. Therefore, out of an abundance of caution, Applicant submits this petition to revive in case the application is deemed to have been abandoned under 37 C.F.R. § 1.213(c).

Pursuant to 37 C.F.R. § 1.213(a), Applicant submitted a request for nonpublication with this application upon filing.

05/16/2003 AWONDAF1 00000004 09998819

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OFFICE OF PETITIONS

Applicant subsequently filed a corresponding international application with the U.S. Patent and Trademark Office as PCT Receiving Office, which is identified on the Notice attached hereto at Tab A. Within 45 days of the international filing, Applicant filed a Request to Rescind Previous Nonpublication, a copy of which is submitted herewith at Tab B.

Applicant believes that its filing of the Request to Rescind Previous Nonpublication within 45 days of the international filing constituted full compliance with 37 C.F.R. § 1.213(c), based on the note in Form PTO/SB/36 (10-01 version) explaining generally that "filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii)." However, the April 16, 2003, prepublication notice now suggests that the Patent Office might not consider a Request to Rescind, in and of itself, to constitute sufficient notice of foreign or international filing.

In addition, Applicant believes that the act of filing the international application with the U.S. Patent and Trademark Office as PCT Receiving Office constituted notice to the U.S. Patent and Trademark Office of the international filing, as required by 37 C.F.R. § 1.213(c).

If the Office considers this application to be abandoned, then Applicant hereby requests revival of the application. Applicant hereby states that the entire delay in notifying the Office as in the Notice at Tab A of the international filing until the filing of this petition was unintentional.

If the Office does not consider this application to be abandoned, then Applicant requests refund of the enclosed petition fee. Further, even if the Office considers this

application to be abandoned, Applicant respectfully requests the Office to waive and refund the enclosed petition fee due to the ambiguity in Form PTO/SB/36 (10-01).

Respectfully submitted,

**MCDONNELL BOEHNEN
HULBERT & BERGHOFF**

Date: May 13, 2003

By:

A handwritten signature in dark ink, appearing to read 'Paul W. Churilla', written over a horizontal line.

Paul W. Churilla
Reg. No. 47,495

**SUPPLEMENTAL NOTICE OF
FOREIGN OR INTERNATIONAL FILING**

Applicant filed International Patent Application No. PCT/US02/37356 on October 24, 2002.

If any further notice of foreign or international filing is or will be required by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c), Applicant hereby provides such notice.

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF RECEIPT OF
RECORD COPY

(PCT Rule 24.2(a))

To:

LEE, George, I.
McDonnell Boehnen Hulbert &
Berghoff
300 South Wacker Drive
Chicago, IL 60606
United States of America

Date of mailing (day/month/year) 30 January 2003 (30.01.03)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference MBHB01-1014	International application No. PCT/US02/37356

The applicant is hereby notified that the International Bureau has received the record copy of the international application as detailed below.

Name(s) of the applicant(s) and State(s) for which they are applicants:

3COM CORPORATION(all designated States)

International filing date : 24 October 2002 (24.10.02)
Priority date(s) claimed : 25 October 2001 (25.10.01)
Date of receipt of the record copy : 27 December 2002 (27.12.02)
by the International Bureau
List of designated Offices :

AP : GH,GM,KE,LS,MW,MZ,SD,SL,SZ,TZ,UG,ZM,ZW
EA : AM,AZ,BY,KG,KZ,MD,RU,TJ,TM
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TT,TZ,UA,UG,UZ,VN,YU,ZA,ZM,ZW

ATTENTION

The applicant should carefully check the data appearing in this Notification. In case of any discrepancy between these data and the indications in the international application, the applicant should immediately inform the International Bureau.

In addition, the applicant's attention is drawn to the information contained in the Annex, relating to:

- ☒ time limits for entry into the national phase - see updated important information (as of April 2002)
- ☒ confirmation of precautionary designations (if applicable)
- ☒ requirements regarding priority documents (if applicable)

A copy of this Notification is being sent to the receiving Office and to the International Searching Authority.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer: Carlos NARANJO Telephone No. (41-22) 338 8349
Facsimile No. (41-22) 740.14.35	